

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Georgia Rochon	Team: Squad #2	CCRB Case #: 201809461	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 11/05/2018 6:31 AM	Location of Incident: 33rd Street (6) train subway station	Precinct: 14	18 Mo. SOL 5/5/2020	EO SOL 12/20/2020	
Date/Time CV Reported Mon, 11/05/2018 7:10 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 11/12/2018 10:59 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Steven Wood	00577	947616	TB DT04

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Kevin Morris	30738	944832	TB DT04

Officer(s)	Allegation	Investigator Recommendation
A.POM Steven Wood	Abuse: Police Officer Steven Wood stopped § 87(2)(b)	
B.POM Steven Wood	Abuse: Police Officer Steven Wood stopped § 87(2)(b)	
C.POM Steven Wood	Force: Police Officer Steven Wood used physical force against § 87(2)(b)	

Case Summary

On November 5, 2018, § 87(2)(b) filed this complaint with the Internal Affairs Bureau. On November 12, 2018, the Civilian Complaint Review Board received this complaint via IAB Log 2018-43772.

On November 5, 2018, at approximately 6:31 a.m., § 87(2)(b) entered the 33rd Street subway station in order to take the 6 train downtown. After § 87(2)(b) swiped his MetroCard, Police Officer Steven Wood of Transit District 4 told § 87(2)(b) that he was not permitted to enter the station (**Allegation A—Abuse of Authority—Stop—§ 87(2)(g)**). § 87(2)(b) exited the station. After approximately one minute, § 87(2)(b) reentered the station and swiped his MetroCard again. Police Officer Wood grabbed § 87(2)(b)'s jacket and escorted him outside of the station (**Allegation B—Abuse of Authority—Stop—§ 87(2)(g)**). Outside the station, Police Officer Wood hit § 87(2)(b) with his open palm once on his right shoulder and twice behind his right ear, then pushed § 87(2)(b) in his chest (**Allegation C—Force—Physical Force—§ 87(2)(g)**). Police Officer Wood then left the scene.

No video footage was found in regard to this incident.

Findings and Recommendations

Allegation (A) – Abuse of Authority: Police Officer Steven Wood stopped § 87(2)(b)

Allegation (B) – Abuse of Authority: Police Officer Steven Wood stopped § 87(2)(b)

Allegation (C) – Force: Police Officer Steven Wood used physical force against § 87(2)(b)

§ 87(2)(b) was interviewed on December 5, 2018. Police Officer Wood and Police Officer Kevin Morris of Transit District 4 were interviewed on February 26, 2019.

§ 87(2)(b) alleged that Police Officer Wood and Police Officer Morris were standing 5 to 6 feet past the turnstiles of the 33rd Street subway station and appeared to witness § 87(2)(b) swipe his MetroCard and pass through the turnstiles. Police Officer Wood then told § 87(2)(b) he was not allowed to enter the station and did not provide § 87(2)(b) with any further explanation. § 87(2)(b) left the station briefly, and then reentered, re-swiped his MetroCard and passed through the turnstiles. Police Officer Wood and Police Officer Morris remained 5 to 6 feet from the turnstiles and did not issue § 87(2)(b) any commands as he entered. Police Officer Wood reminded § 87(2)(b) that he had been told he was not allowed to enter the station, grabbed § 87(2)(b)'s jacket and his left arm, and escorted § 87(2)(b) outside the station, where he hit § 87(2)(b) with an open palm once on his right shoulder and twice behind his right ear, and then pushed § 87(2)(b) in his chest. Police Officer Morris told Police Officer Wood to leave § 87(2)(b) alone, and the officers reentered the 33rd Street station.

When § 87(2)(b) filed his complaint with the Internal Affairs Bureau, he alleged that one officer used a number of profanities towards him during the incident (Board Review 02). However, during his CCRB interview, § 87(2)(b) stated that officers did not use any profanities towards him.

Neither Police Officer Wood nor Police Officer Morris recalled the incident. They were not familiar with anyone by the name of § 87(2)(b) and did not recognize § 87(2)(b) from the photograph taken of him during his CCRB interview.

Police Officer Morris worked as the recorder for the day, and had an entry in his Memo Book at 5:56 a.m. for a radio run for a “10-56O,” which he explained as an “outstretched person,” at the 33rd Street station (Board Review 04). Neither Police Officer Wood nor Police Officer Morris could recall any specific details regarding the entry in Police Officer Morris’s Memo Book or its circumstances.

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 01).
- Police Officer Wood has been a member of service for ten years and has been a subject in two prior CCRB complaints, and two allegations, none of which were substantiated.

§ 87(2)(g)

Mediation, Civil and Criminal Histories

- On December 26, 2018, this case was sent to the Mediation Unit and on February 13, 2019, the case was returned to investigation as the complaint was deemed no longer suitable for mediation § 87(2)(b), § 87(2)(g)
- On March 5, 2019, a request for any Notice of Claim filed by § 87(2)(b) regarding this incident was submitted to the New York City Office of the Comptroller. Any response will be added to the case file upon receipt.

§ 87(2)(b)

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date